



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

RENEE CIPRIANO, DIRECTOR

217/782-6761

CERTIFIED

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November 16, 2001

EPA Region 5 Records Ctr.



352929

Mr. Rian Scheel
Lockformer Company
711 Ogden Avenue
Lisle, Illinois 60532-1399

RE : 0430555004—DuPage County
Lisle/Lockformer Company
Site Remediation/Technical Reports

**Notice of Termination of Site Remediation Program Review and Evaluation
Services Agreement**

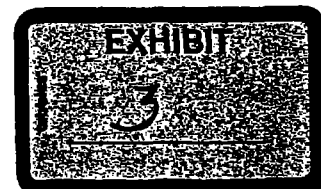
Dear Mr. Scheel:

The Illinois Environmental Protection Agency ("Illinois EPA") has completed a review of a letter dated November 13, 2001 from Ms. Julie Doyle, representing the Lockformer Company ("Lockformer"), responding to the Illinois EPA's October 19, 2001 Notice of Intent to Terminate Site Remediation Program Review and Evaluation Services Agreement ("Agreement"). The November 13, 2001 letter requested the Illinois EPA to reconsider its decision to terminate Lockformer from the Illinois EPA's Site Remediation Program ("SRP").

The review of the November 13, 2001 letter has not shown correction of the deficiencies noted. Therefore, the Illinois EPA provides this notice that the Site Remediation Program Review and Evaluation Services Agreement ("Agreement"), received on August 27, 1998 from Lockformer, has been terminated. The Agreement is terminated because:

- 1) Lockformer has failed to pay reasonable costs incurred and documented by the Illinois EPA in providing services for activities at the Lockformer

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Company site ("Site") in violation of the Agreement (35 Illinois Administrative Code ("35 Ill. Adm. Code") 740.230(a)(2)); and

- 2) The subsequent issuance of an October 4, 2001 Administrative Order ("Order") issued by the United States Environmental Protection Agency ("USEPA") has made Lockformer ineligible for the SRP (35 Ill. Adm. Code 740.230(a)(1), and refer to 415 ILCS 5/58.1(a)(2) and 35 Ill. Adm. Code 740.105(a)(4)

These conclusions are based on the following:

The Illinois EPA sent to you on June 15, 2001 an itemized invoice and supporting documentation for costs incurred for the time period of October 2000 through December 2000. The invoice, number A41-2RR, requested payment of \$11,313.63.

On August 27, 2001, the Illinois EPA sent to you an invoice and supporting documentation for costs incurred by the Illinois EPA from January 2001 through March 2001. The invoice, number A41-3, requested payment of \$7,434.50.

The Illinois EPA sent to you on September 21, 2001 a Delinquent Cost Recovery Payment letter for failure to pay invoice number A41-2RR within 45 days of receipt. As of November 15, 2001, the Illinois EPA has not received either the \$11,313.63 or the \$7,434.50 payments for invoices A41-2RR or A41-3, respectively.

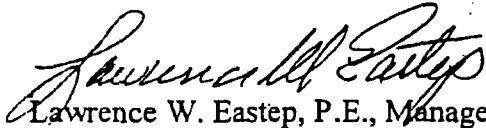
The USEPA issued an Administrative Order, pursuant to Section 106 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") of 1980, dated October 4, 2001. In this case, Lockformer is ineligible for the SRP since investigative and remedial activities for which Illinois EPA review, evaluation, and approval are requested are required by an Order issued by USEPA and compliance with the SRP regulations may be contrary to the terms of the Order.

Pursuant to 35 Ill. Adm. Code 740.230(d), Lockformer has 35 days after receipt of this notice of termination to file an appeal with the Illinois Pollution Control Board ("Board"). Appeals to the Board shall be in the manner provided for the review of permit decisions in Section 40 of the Environmental Protection Act.

Termination of enrollment in the Site Remediation Program in no way relieves Lockformer of its obligation to pay its bills. Therefore, pursuant to 35 Ill. Adm. Code 740.230(e), a request for payment of all unpaid costs incurred by the Illinois EPA under the Agreement to the date of termination will be mailed no later than 180 days after the date of this letter. Within 45 days after receipt of the request for payment, Lockformer shall submit full payment to the Illinois EPA in a manner provided for in 35 Ill. Adm. Code 740.315 and 740.320.

If you have any questions concerning this termination notice, please feel free to contact Greg Dunn at the above telephone number or address.

Sincerely,



Lawrence W. Eastep, P.E., Manager
Remedial Project Management Section
Division of Remediation Management
Bureau of Land

cc: Met-Coil Systems Corporation
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